

REMARKS / ARGUMENTS

Reconsideration of the application is requested.

Claims 1-3 and 5-10 remain in the application. Claim 1 has been amended. Claim 4 has been cancelled.

In the section entitled "Claim Rejections - 35 USC § 103" on pages 2-3 of the above-mentioned Office action, claims 1-3 and 5-10 have been rejected as being unpatentable over Ye et al. (US Pat. No. 6,080,529) in view of Subramanion et al. (US Pat. No. 5,986,344) under 35 U.S.C. § 103(a).

The rejection has been noted and claim 1 has been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found on page 8, lines 7-12 of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

etching the organic antireflection layer with an etching gas composition containing at least 80% hydrogen and nitrogen; and

achieving a selectivity of more than 1:50 of the organic antireflection layer etching in relation to etching the semiconductor layer lying underneath the organic antireflection layer.

Neither Ye et al. nor Subramanion et al. disclose or suggest achieving a selectivity of more than 1:50 for an organic ARC layer etching in relation to etching the semiconductor layer lying underneath by using an etchant containing at least 80% nitrogen and hydrogen, as recited in amended claim 1 of the instant application.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-3 and 5-10 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out. In the alternative, the entry of the amendment is requested as it is believed to place the application in better condition

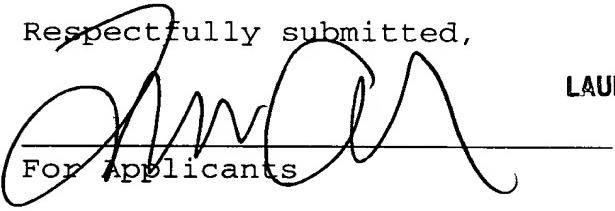
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Reply to Office action of December 19, 2003

for appeal, without requiring extension of the field of search.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

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For Applicants

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